

112TH CONGRESS  
1ST SESSION

# S. 1874

To require the timely identification of qualified census tracts for purposes of the HUBZone program, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2011

Mr. MERKLEY (for himself, Ms. LANDRIEU, and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To require the timely identification of qualified census tracts for purposes of the HUBZone program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “HUBZone Qualified  
5 Census Tract Act of 2011”.

6 **SEC. 2. DESIGNATION OF QUALIFIED CENSUS TRACTS.**

7 (a) IDENTIFICATION OF HUBZONE QUALIFIED CEN-  
8 SUS TRACTS.—Not later than 2 months after the date on  
9 which the Secretary of Housing and Urban Development

1 receives from the Census Bureau the data obtained from  
 2 each decennial census relating to census tracts necessary  
 3 for such identification, the Secretary of Housing and  
 4 Urban Development shall identify and publish the list of  
 5 census tracts that meet the requirements of section  
 6 42(d)(5)(B)(ii) of the Internal Revenue Code of 1986.

7 (b) SPECIFICATION OF EFFECTIVE DATES OF DES-  
 8 IGNATION.—

9 (1) HUBZONE EFFECTIVE DATE.—The Sec-  
 10 retary of Housing and Urban Development, after  
 11 consultation with the Administrator of the Small  
 12 Business Administration, shall designate a date that  
 13 is not later than 3 months after the publication of  
 14 the list of qualified census tracts under subsection  
 15 (a) upon which the list published under subsection  
 16 (a) becomes effective for areas that qualify as  
 17 HUBZones under section 3(p)(1)(A) of the Small  
 18 Business Act (15 U.S.C. 632(p)(1)(A)).

19 (2) SECTION 42 EFFECTIVE DATE.—The Sec-  
 20 retary of Housing and Urban Development shall des-  
 21 ignate a date, which may differ from the HUBZone  
 22 effective date under paragraph (1), upon which the  
 23 list of qualified census tracts published under sub-  
 24 section (a) shall become effective for purposes of sec-

1       tion 42(d)(5)(B)(ii) of the Internal Revenue Code of  
2       1986.

3       (c) RULE OF CONSTRUCTION.—Nothing in this sec-  
4       tion may be construed to affect the method used by the  
5       Secretary of Housing and Urban Development to des-  
6       ignate census tracts as qualified census tracts in a year  
7       in which the Secretary of Housing and Urban Develop-  
8       ment receives no data from the Census Bureau relating  
9       to census tract boundaries.

10   **SEC. 3. REPORT.**

11       Not later than 1 year after the date of enactment  
12       of this Act, the Administrator of the Small Business Ad-  
13       ministration shall submit to the Committee on Small Busi-  
14       ness and Entrepreneurship of the Senate and the Com-  
15       mittee on Small Business of the House of Representatives  
16       a report that—

17           (1) describes the benefits and drawbacks of  
18       using qualified census tract data to designate  
19       HUBZones under section 3(p) of the Small Business  
20       Act (15 U.S.C. 632(p));

21           (2) describes any problems encountered by the  
22       Administrator in using qualified census tract data to  
23       designate HUBZones; and

- 1 (3) includes recommendations, if any, for ways
- 2 to improve the process of designating HUBZones.

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